

Remarks

Claims 1-115 are pending in the above-referenced patent application with claims 1-63, 70-84, and 88-115 being withdrawn from consideration. Claims 64-69, and 85-87 have been rejected by the Examiner.

As an initial matter, the Examiner indicated that claims 85-87 are rejected on the Office Action summary sheet, however, the remainder of the Office Action is silent with respect to these claims. There is neither any elaboration of the grounds for rejection, nor any indication that the claims are allowable. After discussing this with the Examiner on May 9, 2003, the Examiner indicated that we should bring this up via this response and the Examiner would address the issue. Since Applicants cannot make an appropriate evaluation regarding the status of the claims in the application, Applicants respectfully request that the finality of the Office Action be withdrawn.

The Examiner has rejected claim 64 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,802,720 to Pribe. The Pribe reference is directed to a razor consisting of a flexible cloth-like base material upon which are mounted a plurality of individual cutting heads. Each head is attached to the base material so as to be flexible in orientation. A preferred head embodiment includes a flat metal structure having an attachment hole for connection to the cloth of an aperture large enough for passage of one or more hairs, the perimeter of the aperture having a sharp edge for cutting the hair. The quantity of cutting heads per unit area is preferably very large, resulting in some overlap of the heads. In this dense configuration, the probability of a cutting head engaging a hair is greatly increased, in spite of the somewhat random orientation of each head. The dense small cutting heads in combination with the flexible cloth-like base material provides a structure that easily conforms to body contours.

Unlike the invention recited in claim 64 of the instant application, Pribe does not disclose a "substantially planar substrate." Instead, the substrate upon which the cutting heads are mounted in the Pribe reference is basically a flexible cloth. Accordingly, because the flexible cloth of Pribe cannot be considered to be

substantially planar, Pribe teaches away from the invention recited in claim 64, as amended, of the application in question.


For at least these reasons Applicants submit that claim 64 of the instant patent application is in condition for allowance.

In Paragraph 5 of the Office Action the Examiner has rejected claims 65-69 under section 102 (b) as allegedly being anticipated by Pribe. In the alternative, the Examiner has rejected claims 65-69 under 35 U.S.C. §103 (a) as being obvious over Pribe. However, since claims 65-69 depend either directly or indirectly from claim 64, which Applicants contend is in condition for allowance, they too are allowable. An early action to this effect is earnestly solicited.

Based on the foregoing, Applicants contend that claims 64-69 and 85-87 of the present patent application are in condition for allowance and an early action to that effect is earnestly solicited.

Should any matters remain unresolved, Applicants request that the Examiner contact Applicants representative at the number listed below. While no fees are believed to be due with the filing of this response, Applicants request that any deficiencies in fees to deposit account number 13-0235.

Respectfully submitted,

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